

THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLIVEN D. BUNDY,  
RYAN C. BUNDY,  
AMMON E. BUNDY, and  
RYAN W. PAYNE,

Defendants.

2:16-cr-46-GMN-PAL-1-4

DATE: November 14, 2017

Courtroom 7C

THE HONORABLE GLORIA M. NAVARRO, CHIEF UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: Aaron Blazeovich COURT REPORTER: Kathy Eismann

COUNSEL FOR PLAINTIFF: Steven Myhre, Nadia Ahmed and Daniel Schiess with FBI Agents Joel Willis, Sharon Gavin and Mike Abercrombie

COUNSEL FOR DEFENDANT: Bret Whipple with Legal Assistant Tatum Wehr, Maysoun Fletcher (Standby Counsel), Daniel Hill, Jay Morgan Philpot, Brenda Weksler and Ryan Norwood

MINUTES OF PROCEEDINGS: Jury Trial (Day 6)

9:21 a.m. The Court convenes outside the presence of the prospective jurors. The Court admonishes the parties regarding courtroom demeanor. The Court informs the observers in attendance that the exclusionary rule has been invoked by the parties and if a witness is named on the witness list, the witness is not permitted to be in the courtroom. Mr. Myhre makes an oral motion to continue trial for one week. Mr. Norwood responds. The defense makes a motion for mistrial. The Court states there is no valid reason for mistrial at this time. The Court will not continue the trial at this time.

9:46 a.m. The jury enters the courtroom. The Court provides the jurors with preliminary instructions.

10:04 a.m. Mr. Myhre makes opening statements on behalf of the Government.

11:04 a.m. The jury is admonished and excused for a morning break.

11:27 a.m. The Court reconvenes in the presence of the jury. Mr. Myhre continues making opening statements on behalf of the Government.

12:25 p.m. The jury is admonished and excused for lunch.

1:50 p.m. The Court reconvenes in the presence of the jury. Mr. Whipple makes opening statements on behalf of Mr. Cliven Bundy.

2:45 p.m. The jury is admonished and excused for the evening.

2:46 p.m. The Court reconvenes outside the presence of the jury. Mr. Ryan Bundy requests the conditions of his release be modified to indicate that he may not contact only the people on the Government's witness list. The Court agrees that Mr. Ryan Bundy will not have contact with the people on the Government's witness list. Mr. Ryan Bundy makes additional administrative requests. The Court further modifies Mr. Ryan Bundy's conditions of pretrial release to include that the Defendant must reside in a halfway house on 24-hour-a-day lock-down except for medical necessities, court appearances, to meet with counsel for co-defendants, to meet with stand-by counsel and for purposes of attending church. Ms. Weksler requests the Government's trial briefs from prior trials. The Government will provide those documents to the defense. Ms. Weksler further requests additional names be provided from the Government. The Defense indicates it may need to amend the witness list in accordance with this request. Mr. Philpot requests information regarding the shuttling of the jurors.

3:00 p.m. The Court stands at recess.

Jury Trial continued to Wednesday, November 15, 2017, at 8:30 a.m. in Courtroom 7C before Chief Judge Gloria M. Navarro.

DEBRA K. KEMPI, CLERK  
U.S. DISTRICT COURT

BY:           /S/            
Aaron Blazeovich, Deputy Clerk